

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**October 19, 1998**

## DIVISION TWO

B119745 People (Not for Publication)  
v.  
Ortiz

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### The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Zebrowski, J.

B117379 People (Not for Publication)  
v.  
Tracchia, Jr., et al.

The judgments are affirmed.

Boren, P.J.

We concur:   Fukuto, J.  
                      Zebrowski, J.

B113727      Khatib      (Not for Publication)  
v.  
Mahmood, et al.

The judgment is modified to reflect that the award of monetary damages is premised on the second cause of action for breach of the settlement agreement, and not on the third cause of action for fraud. In all other respects, the judgment is affirmed. Each party is to bear its own costs on appeal.

Boren, P.J.

We concur: Fukuto, J.  
Zebrowski, J.

## October 19, 1998-Continued

## DIVISION TWO (Continued)

B115758 People (Not for Publication)  
v.  
Hernandez

The judgment is affirmed.

Boren, P.J.

We concur:   Fukuto, J.  
                      Zebrowski, J.

B115817 People (Not for Publication)  
v.  
Thornton, et al.

### The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Zebrowski, J.

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., and Valorie Gray, Deputy Clerk.

Each of the following:

B114749/B117823 Khosravi v. University of So. Calif.  
B120822/B120824 Dept. of Children & Family Services v. Deantwan F.  
B119797 Dept. of Children & Family Services v. Margaret S.  
B111449 People v. Arenas  
B114846 People v. Bragg  
B116603 People v. Love  
B114631 People v. Mares  
B116957 People v. Lemus  
B111480 People v. Sait L.  
B113590 People v. Moore  
B115410 People v. Tutwon G.  
B119712 Giller v. S.C.L.A.

DIVISION THREE (Continued)

B112640 People v. Bradley  
B111930 People v. Saddler  
B112325 People v. Miranda  
B117994 People v. Orantes  
B112337 People v. Carroll  
B113751 People v. Paul V.

Argument waived, cause submitted.

B109695     Bedrossian  
              v.  
              Konialian

Appearances:  
Sylvia Bedrossian for appellant and by Michele Marsh for respondent.  
Argument waived, cause submitted.

B119236     Boyle  
              v.  
              City of Redondo Beach

Merits:  
Argued by Christopher Boyle, appellant in propria persona and by Michael  
R. Leslie for respondent. Cause submitted.

B121554     Hinsickle  
              v.  
              S.C.L.A.  
              (Wysocki, r.p.i.)

Merits:  
Argued by Jon B. Eisenberg for petitioner and by Stephen R. McLeod for  
real party in interest. Cause submitted.

DIVISION THREE (Continued)

B111665 Pacific Beach Development Limited  
v.  
City of Santa Monica

Merits:

Argued by Charles E. Slyngstad for appellant and by Eriko Matsumoto, deputy city attorney for respondent. Cause submitted.

B112136 Manlowe  
v.  
Farmers Insurance Exchange, et al.

Merits:

Argued by Duane L. Bausman for appellants and by Mary F. Dant for respondent. Cause submitted.

B116367 Aamazing Technologies Corp.  
v.  
Zweig

Merits:

Argued by William D. Chapman for appellant and by Lee Ackerman for respondent. Cause submitted.

The Court recessed at 11:45A.M.

The court recovened at 1:30 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., and Valorie Gray, Deputy Clerk.

B113069 Schneider  
v.  
Kajima Engineering & Construction, Inc.

Merits:

Argued by Jonathan P. Milberg for appellant and by Richard L. Lotts for respondent. Cause submitted.

### DIVISION THREE (Continued)

B110963      People  
v.  
Moody

Merits:

Argued by Laura P. Gordon for appellant and by Stephen M. Kaufman, deputy attorney general for respondent. Cause submitted.

B114170 Kashani  
v.  
Church

Merits:

Argued by Jay S. Bloom for appellant and by Michael Melton for respondent. Cause submitted.

B113330      Bergfeld  
v.  
Able Restoration, et al.

Merits:

Argued by Michael Bergfeld, appellant in propria persona and by James S. Link and Robert G. Petrovich for respondents. Cause submitted.

The court adjourned at 3:45 P.M.

## DIVISION FOUR

B118621 People v. Harris (Not for Publication)

The Court:

For the foregoing reasons, the judgment is affirmed.

Epstein, Acting P.J., Hastings, J., Curry, J.

October 19, 1998-Continued

DIVISION FOUR (Continued)

B120683      People                                  (Not for Publication)  
v.  
Shilonda Ross B.

The Court:

For the foregoing reasons, the judgment is affirmed.

Vogel (C.S.), P.J., Hastings, J., Curry, J.

[illegible]

The Court:

For the foregoing reasons, the judgment is affirmed.

Epstein, Acting P.J., Hastings, J., Curry, J.

B116926 People  
v.  
Madrid

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B122829 Fairley  
v.  
Superior Court, Los Angeles County  
(City of Long Beach et al., r.p.i.)

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

## DIVISION FIVE (Continued)

B118131      People                                  (Not for Publication)  
v.  
Anthony Sulven

The judgment is affirmed.

Grignon, Acting P.J.

We concur:    Armstrong, J.  
                          Godoy Perez, J.

B118644 People (Not for Publication)  
v.  
Ralph Dotson

The judgment is modified to reflect the following: an order of restitution to the victims in the amount of \$6,696.19 pursuant to Penal Code section 1202.4, subdivision (f); a \$1,050 fine pursuant to Penal Code section 672, comprised of a \$387 fine, plus state penalty assessment of \$390, plus a county penalty assessment of \$273; a \$600 restitution fine pursuant to Penal Code section 1202.4, subdivision (b); a \$600 restitution fine pursuant to Penal Code section 1202.45, and presentence custody credit of 368 days, comprised of credit for 246 days in actual custody, plus 122 days of good conduct credit. The trial court is directed to send to the Department of Corrections a corrected abstract of judgment. In all other respects, the judgment is affirmed.

Godoy Perez, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

October 19, 1998-Continued

## DIVISION FIVE (Continued)

[illegible]

The judgment is affirmed.

Godoy Perez, J.

We concur: Grignon, Acting P.J.  
Armstrong, J.

B111674      People  
v.  
Reginald Batiste

Filed order denying petition for rehearing.

DIVISION SIX

B107586 People (Not for Publication)  
v.  
Hand

The judgment is affirmed.

Gilbert, J.

We concur:   Stone, P.J.  
                      Coffee, J.

B112497 People (Not for Publication)  
v.  
Munoz

The judgment is affirmed.

Yegan, J.

We concur:    Gilbert, Acting P.J.  
                     Coffee, J.



October 19, 1998-Continued

## DIVISION SIX (Continued)

[illegible]

The juvenile court's order committing appellant to the CYA for a maximum confinement period of 14 years and 10 months is hereby vacated and the matter remanded for resentencing in accordance with the views expressed herein. In all other respects, the commitment order is affirmed.

Coffee, J.

We concur:   Stone, P.J.  
                      Yegan, J.

B122775 People (Not for Publication)  
v.  
Pierce

The judgment is affirmed.

Yegan, J.

We concur:    Gilbert, Acting P.J.  
                      Coffee, J.

B116554 People (Not for Publication)  
v.  
Bivens

The judgment is affirmed.

Gilbert, Acting P.J.

We concur: Yegan, J.  
Coffee, J.

DIVISION SEVEN

B109691      Leiserson      (Not for Publication)  
v.  
Marks and Believers Assembly

The judgment is affirmed. Appellant is entitled to costs on appeal.

Lillie, P.J.

We concur:   Johnson, J.  
                      Woods, J.

B119257      Mason      (Not for Publication)  
v.  
Westminister Investments

The appeal is dismissed.

Lillie, P.J.

We concur: Woods, J.  
Neal, J.

B113726      Gonzalez      (Not for Publication)  
v.  
Benitez

The judgment is affirmed. Respondents are entitled to costs on appeal.

Lillie, P.J.

We concur:   Johnson, J.  
                      Neal, J.

October 19, 1998-Continued

DIVISION SEVEN (Continued)

B117796 Flores (Not for Publication)

V.

# Kedren Community Mental Health Center

The judgment of nonsuit is reversed. Appellant is entitled to costs on appeal.

Lillie, P.J.

We concur:   Johnson, J.  
                      Neal, J.

B119604      Los Angeles County, D.C.S.      (Not for Publication)

V.

Marie A.

In re John S., a minor

The judgment is affirmed.

Lillie, P.J.

We concur:   Johnson, J.  
                      Woods, J.

B120819      Los Angeles County, D.C.S.      (Not for Publication)

V.

Karen S.

In re Baraat M., a minor

The judgment is affirmed. The parties are to bear their own costs on appeal.

Lillie, P.J.

We concur: Woods, J.  
Neal, J.

October 19, 1998-Continued

## DIVISION SEVEN (Continued)

B113624      People                                  (Not for Publication)  
v.  
Hernandez

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The judgment is affirmed.

Kwong. J. (Assigned)

We concur: Woods, Acting P.J.  
Neal, J.

B112876      Piccard Financial Group      (Not for Publication)  
v.  
DSL Service Company

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.  
Woods, J.